

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JOHN O'SULLIVAN, :
Plaintiff, :
: 20 Civ. 10510 (LGS)
-against- :
: ORDER
CITY OF NEW YORK et al., :
: :
Defendants. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Defendant the City of New York (the “City”) has filed a pre-motion letter concerning a motion to dismiss counts eight and nine of the First Amended Complaint (“FAC”) (Dkt. No. 20). Plaintiff opposes (Dkt. No. 23).

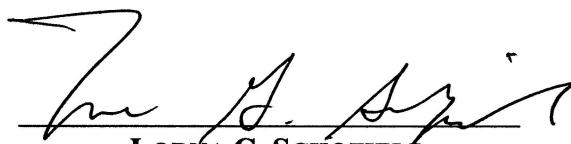
WHEREAS, the Order, dated March 18, 2021, directed Plaintiff to effect service on Defendant Officer D’Arco and file proof of service by March 25, 2021 (Dkt. No. 21). Defendant requests an order directing the City to provide a service address for Officer D’Arco (Dkt. No. 23), and the City represents that the New York City Law Department is currently investigating whether it will represent Officer D’Arco and waive service on his behalf (Dkt. No. 24).

Accordingly, it is hereby

ORDERED that by **April 16, 2021**, the City shall file its motion to dismiss. By **May 7, 2021**, Plaintiff shall file any opposition. By **May 14, 2021**, the City shall file any reply. All submissions shall be per the Individual Rules. It is further

ORDERED that the parties shall meet and confer regarding any representation of Officer D’Arco by the New York City Law Department and associated waiver of service. By **April 9, 2021**, the parties shall file a joint letter as to the status of service on Officer D’Arco.

Dated: March 26, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE